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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JULIE McEWEN,

Case No. 2:09-cv-02173-PMP-LRL

Plaintiff,

vs.

SUMMARY JUDGMENT

ACCELERATED COMMERCIAL
 CONSULTANTS, a Nevada Corporation;
 FRANK ULBRIGHT, individually; TERRY
 PRITCHETT, individually; and MARK
 MASTRANGELO, individually,

Defendants.

Plaintiff Julie McEwen having submitted a Partial Motion for Summary Judgment, Defendants Accelerated Commercial Consultants, Frank Ulbright, and Terry Pritchett having filed an Opposition, McEwen having filed her Reply, this Court having convened a hearing on August 2, 2010, Zachariah B. Parry, Esq. of the law firm WOODBURY, MORRIS & BROWN having appeared and argued on behalf of McEwen, Frank Ulbright and Terry Pritchett having appeared in proper person, Accelerated Commercial Consultants being unrepresented, the Court having reviewed the papers on file and considering the Motion on its merits, the Court being fully advised, and good cause appearing, the Court finds as follows:

McEwen had a valid contract with Accelerated Commercial Consultants, Frank Ulbright, and Terry Pritchett (collectively, "Defendants"). McEwen fully performed on the contract by depositing \$450,000 into the Accelerated Commercial Consultants Trust Account,

1 and Defendants breached the contract.

2 Wherefore, it is hereby ORDERED, ADJUDGED, AND DECREED that McEwen's
3 Partial Summary Judgment is GRANTED as pertaining to the breach of contract action;

4 It is further ORDERED, ADJUDGED, AND DECREED that Defendants must repay
5 McEwen \$450,000.00, plus \$1,938.70 in penalties, plus lost interest at \$1,316.25 per month
6 (\$43.27 per day) starting October 14, 2008 for total pre-judgment interest of \$29,769.76, less
7 \$13,884.31 in interest already paid, for total interest due as of August 2, 2010 of \$15,885.45.
8 The total due as of August 2, 2010 is therefore \$467,824.15, with interest continuing to accrue
9 at the agreed-upon rate of \$43.27 per day until the judgment is fully paid;

10 It is further ORDERED, ADJUDGED, AND DECREED the Defendants must pay
11 McEwen in full within 30 days of

12 ☐ August 2, 2010, the date the minute order was issued

13 ☒ the date this Order is signed;

14 It is further ORDERED, ADJUDGED, AND DECREED that in no way does this Order
15 preclude McEwen's right to continue to pursue a claim for breach of contract against
16 Defendants as it pertains to the anticipated returns of \$1,350,000.00.


17 IT IS SO ORDERED.

18 Dated this 11th day of August 2010.

19 
JUDGE PHILIP M. PRO
UNITED STATES DISTRICT COURT JUDGE

20 Respectfully submitted by:

21 WOODBURY, MORRIS & BROWN

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